

Section II (Amendments to the Drawings)

Please replace original drawing sheet numbers 2, 3, 5, 7, 23, and 24 with replacement drawing sheet numbers 2, 3, 5, 7, 23, and 24 enclosed herewith, with each replacement drawing sheet labeled REPLACEMENT SHEET in the header thereof pursuant to 37 CFR 1.121(d). The replacement drawings sheets contain no new matter pursuant to 35 U.S.C. § 132.

Section IV (Remarks)

A. Summary of Amendments to the Claims

In the June 20, 2006 Office Action, claims 21, 36-52, 61, and 64 were objected to because of various informalities relating to claims 21, 36, and 61 – namely, the need for addition of one article “a” each in claims 21 and 35, and the need for addition of one comma each in claims 21 and 61. Applicants take issue with such objections as being purely stylistic in nature, and not required for reasons of patentability since no statute or regulation compels amendment of such character to the claims to preserve their patentable character. In order to speed the application to allowance, however, claims 21, 36, and 61 have been accordingly amended to address the examiner’s stylistic concerns. Since the amendments made are unrelated to reasons of patentability, it is noted that full claim scope - including both the literal recitation of the claims and equivalents thereof – is *not* surrendered by the amendments made herewith.

B. Summary of Amendments to the Drawings

1. General Objections to the Drawings

In the June 20, 2006 Office Action, the drawings were objected to in paragraph 3 thereof on the following grounds:

- The letter designations “a,” “b,” and “n” after the reference numerals shown in Figure 3 should be capitalized to maintain consistency with the description first provided in the specification at page 5, paragraph [0013]
- the lead line representative of reference 124A as shown in the fourth layer 114 of Figure 4A, appeared to be pointing to the alignment hole 121; and
- reference 825A, as shown in the seventh layer 817 of Figure 18C, appeared twice.

In response to these objections, Figure 3 has been amended to include capitalized letter designations “A,” “C,” and “N;” Figure 4A has been amended to shift the lead line representative of reference 124A to the proper element in the fourth layer 114; and Figure 18C has been amended to properly identify one via with the reference numeral 825B in the seventh layer 817 of Figure 18C, thus eliminating the duplicative use of the reference numeral 825A.

2. Objections to the Drawings Under 37 CFR §§ 1.84(p)(5) and 1.84(p)(5)

In the June 20, 2006 Office Action, the drawings were objected to under 37 CFR § 1.84(p)(5) in paragraphs 4 and 5 of the Office Action on the grounds that numerous reference numerals appeared in the drawings but did not appear within the specification, or that reference numerals identified in the specification were not included in the drawings.

The following changes to the drawings or the specification have been made to address these objections:

- Paragraph [0084] of the specification has been amended to recite the correction method 500;
- Figure 4A has been amended to include reference numerals 128A and 128X instead of reference numerals 128D and 128F, and further to add reference numeral 154A;
- Paragraph [0099] of the specification has been amended to recite the enlarged region “134A-134X” instead of “134A-134N;”
- Paragraph [00102] of the specification has been amended to recite the medium forked channel segments “156A, 156B” instead of “168A, 168B;”
- Figure 5 has been amended to include reference numeral “450D” instead of “450X” to correspond to paragraph [00109] of the specification;
- Paragraph [00111] has been amended to recite element numbers 471B, 481A-481X and 482A-482X;
- Paragraph [00107] has been amended to recite element numbers 400A-400D;
- Paragraph [00114] has been amended to recite element numbers 455A-455X;
- Figure 6B has been amended to eliminate reference numeral “446C;”
- Paragraph [00119] has been amended to recite element number 550;
- Paragraph [00136] has been amended to recite element number 604;
- Figure 18B has been amended to include reference numeral “860N” instead of “860B;”
- Paragraph [00141] has been amended to recite element numbers “810A-810C;”
- Paragraph [00146] has been amended to recite element number “859” instead of “859A;” and
- Paragraph [00146] has been amended to clarify that various element numbers implicitly identified in connection with FIGS. 18E and 18F are in fact identified in connection with any of FIGS. 18A-18C.

It is noted that paragraph [00145], which is not amended herewith, includes specific reference to “forked channel 892 in the fourth layer 814” at line 11 thereof, such that the objection based on the purported lack in the specification of the reference numeral 892 should be withdrawn.

In view of the above-identified amendments, withdrawal of the objections to the drawings is respectfully requested.

C. Summary of Amendments to the Specification

In the June 20, 2006 Office Action the disclosure was objected to because of various informalities. Each of those informalities have been addressed as noted below.

- In paragraph [0004], commas have been inserted prior to the term “such” at lines 2 and 10 thereof;
- In paragraph [0013], the article “a” has been inserted before “waste reservoir” at the last line thereof;
- In paragraph [0019], a comma has been inserted prior to the term “such” at line 5 thereof;
- In paragraph [0069], a comma has been inserted prior to the term “such” at line 7 thereof;
- In paragraph [0071], a comma has been inserted after the term “systems” at line 14 thereof (*and it is noted that the term “such” does not appear at line 11 of paragraph [0071]*);
- In paragraph [0072], the recitation of “patent publication no. 2003/0198130 entitled “Fluidic Mixer in Microfluidic System”” has been replaced with “Patent No. 6,935,772;”
- In paragraph [0073], commas have been inserted before and after the phrase “such as a microporous membrane” at line 8 thereof, and commas have been inserted before and after the phrase “such as acetonitrile” at lines 13-14 thereof (*and it is further noted that the term “such” does not appear at line 6 of paragraph [0073], and that the term “acetonitrile” does not appear until line 14 of paragraph [0073]*);
- In paragraph [0075], the terms “patent,” “publication,” and “no.” at line 14 thereof have been capitalized;

- In paragraph [0078], the terms “patent,” “publication,” and “no.” at lines 11-12 thereof have been capitalized;
- In paragraph [0095], a comma has been inserted prior to the term “such” at line 7 thereof;
- In paragraph [0098], a comma has been inserted prior to the term “such” at line 6 thereof;
- In paragraph [0099], the article “the” preceding “channel 142” has been replaced with “a manifold” at line 11 thereof;
- In paragraph [00100], the article “a” preceding “manifold” at line 3 thereof has been replaced with “the,” and the reference numeral “145” at lines 6 and 7 thereof has been replaced with “145A-145X,;”
- In paragraph [00101], the term “layers” at line 2 thereof has been replaced with “layer,” a comma has been inserted before “such” at line 6 thereof, and the phrase “application serial no. 10/313,231 (filed December 6, 2002)” has been replaced with “Patent No. 6,848,462”at line 10 thereof;
- In paragraph [00102], the term “vias” has been replaced with “via” at line 2 thereof, the reference numeral “145” has been replaced with “145A-145X” at lines 6 and 14 thereof;
- In paragraph [00104], the recitation of ““patent publication no. 2003/0150806 entitled “Separation column devices and fabrication methods”” has been replaced with ““Patent No. 6,923,907,” at line 8 thereof;
- In paragraph [00105], the recitation of ““patent application serial no. 10/696,354 filed on October 28, 2003” has been replaced with Patent No. 6,936,167,” at line 3 thereof;
- In paragraph [00106], commas have been inserted before and after the phrase “such as a conventional UV-Visible source and detector (not shown)” at lines 7-8 thereof;
- In paragraph [00107], a comma has been added prior to the term “such” at line 17 thereof;
- In paragraph [00110], a comma has been added prior to the term “such” at line 2 thereof, and commas have been inserted before and after the phrase “such as one of the methods described previously herein”;
- In paragraph [00111], a comma has been added prior to the term “such” at line 3 thereof;
- In paragraph [00112], a comma has been added after the term “embodiment” at line 12 thereof;

- In paragraph [00113], the phrase “wide slits 460A-460B defined in the fifth and sixth layers 415, 416, respectively” has been replaced with “wide slit 460A defined in the sixth layer 416 and wide slit 460B defined in the fifth layer 415” at line 8 thereof;
- In paragraph [00115], the reference numeral “486” has been replaced with “485” at line 7 thereof;
- In paragraph [00121], a comma has been added prior to the term “such” at line 3 thereof;
- In paragraph [00123], a comma has been added prior to the term “such” at line 3 thereof;
- In paragraph [00124], the recitation of “application no. 10/282,392 filed October 29, 2002 and” has been replaced with “Patent No. 6,867,857, which is” at line 8 thereof;
- In paragraph [00128], commas have been inserted before and after the phrase “such as Applicant’s standard test mixture comprising uracil and four parabens (totaling five components)” at lines 3-4 thereof, the phrase “24-column” has been replaced with “twenty-four column” at line 4 thereof, and a comma has been added prior to the term “such” at line 5 thereof,
- In paragraph [00129], a comma has been inserted prior to the term “but” at line 9 thereof;
- In paragraph [00135], the term “On” has been replaced with “One” at line 1 thereof, a comma has been added after the term “Thereafter” at line 9 thereof, and the typeface of “FIG. 16A” and “FIG. 16B” has been bolded at lines 21-22 thereof;
- In paragraph [00136], the second occurrence of “601” has been replaced with “602” at line 4 thereof, the reference numeral “604” has been added after “degasser” at line 4 thereof, the reference numeral “605” has been added after “pump(s)” at line 6 thereof, and the reference numerals “10a-10n” has been replaced with “10A-10N” at line 9 thereof;
- In paragraph [00137], a comma has been inserted prior to the term “such” at line 3 thereof, and the recitation of “application no. 10/282,392 filed October 29, 2002” has been replaced with “Patent No. 6,867,857” at the last line thereof;
- In paragraph [00138], the reference numeral “628” has been inserted after the recitation of “display” at line 10 thereof;
- In paragraph [00143], a comma has been inserted prior to the term “such” at line 2 thereof, a comma has been inserted prior to the term “such” at line 11 thereof, and a comma has been inserted after the term “herein” at line 12 thereof;

- In paragraph [00144], a comma has been inserted prior to the term “such” at line 23 thereof;
- In paragraph [00145], a comma has been inserted after the reference numeral “810” at line 21 thereof, and the period following the reference numeral “814” has been replaced with a comma at line 33 thereof;
- In paragraph [00146], the reference numeral “859A” has been replaced with “859” at line 13 thereof;
- In paragraph [00149], commas have been inserted before and after the phrase “such as resistive electrodes (not shown)” at line 7 thereof; and
- In paragraph [00150], the word “the” has been deleted between the terms “study” and “how” at line 1 thereof, the article “a” has been inserted prior to the term “calibration” at line 9 thereof, and a comma has been inserted prior to the term “but” at line 17 thereof.

In view of the above-identified amendments, withdrawal of the objections to the description is respectfully requested.

D. Allowable Subject Matter

Claims 21, 36-52, 61, and 64 have been acknowledged by the examiner to be directed to allowable subject matter, with no prior art relied upon by the examiner to reject the claims.

E. Request for Withdrawal of Restriction Requirement as to Dependent Claims 22-35

In the February 21, 2006 Office Action issued in the present application, the Examiner imposed both a species election requirement (i.e., as between claims 1-20, and claims 21-63) and a restriction requirement (i.e., as to a first Group I including claims 22-35, and a second Group II including claims 36-64). In the February 21, 2006 Office Action, the Examiner specifically noted that claim 21 links Restriction Groups I and II (February 21, 2006 Office Action, page 5), a noted that the **restriction requirement between the linked inventions is subject to the nonallowance of the linking claim (i.e., claim 21)**, such that the **restriction requirement shall be withdrawn upon allowance of the linking claim** (i.e., claim 21).

The June 20, 2006 Office Action specifically indicated claim 21 as being drawn to allowable subject matter, with “[p]rior art ... not relied upon to reject claims.” (June 20, 2006 Office Action at page 15.)

It is noted that claims 22-35 are dependent claims that depend from claim 21. A dependent claim includes all of the elements of the independent claim on which it depends, and thus constitutes a subset of the independent claim. There can be no doubt that a dependent claim is neither “independent” nor “distinct” from an independent claim on which it depends, with such independence and distinctness being prerequisites for maintaining a restriction requirement between two claim groups. It would be nonsensical to maintain the restriction requirement as to claims 22-35, while permitting claim 21 to pass through to issuance with a patent granted on the instant application,

Accordingly, withdrawal of the restriction requirement as to claims 22-35 is warranted, and respectfully requested. Claims 22-35 are in form and condition for allowance with the other claims already acknowledged by the examiner as drawn to allowable subject matter.

CONCLUSION

The amendments to the claims, drawings, and specification overcome all of the objections rendered by the examiner, such that all objections should be withdrawn. Claims 22-35 should be rejoined with the application, and are in form and condition for allowance along with claims 21, 36-52, 61, and 64, which have already been acknowledged by the examiner to be directed to allowable subject matter. A Notice of Allowance indicating the allowance of claims 21-52, 61, and 64 is earnestly solicited.

Respectfully submitted,



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Enclosures:

Replacement Drawing Sheets 2, 3, 5, 7, 23, 24 [6 pgs]
Substitute Specification – Markup copy [45 pgs]
Substitute Specification – Clean copy [44 pgs]

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